

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X	:
	:
	: Case No. 1:15-mc-00040-AKH
	:
IN RE AMERICAN REALTY CAPITAL	: <b>ECF CASE</b>
PROPERTIES, INC. LITIGATION	:
	: <b>ORAL ARGUMENT REQUESTED</b>
	:
	:
-----X	-----X

**NOTICE OF DEFENDANT GRANT THORNTON LLP'S  
MOTION FOR SUMMARY JUDGMENT**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, Rule 56.1 Statement, and Declaration of Gary F. Bendinger with supporting exhibits, Grant Thornton LLP ("Grant Thornton") will move this Court before the Honorable Alvin K. Hellerstein, United States District Judge, at the United States Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York 10007, at a date and time to be determined by the Court for an Order, pursuant to Federal Rule of Civil Procedure 56, granting judgment in favor of Grant Thornton and dismissing with prejudice Counts I-VI of the Third Amended Complaint (D.E. 312), as well as such other and further relief as the Court deems just and proper.

Dated: New York, New York  
February 8, 2019

Respectfully submitted,

/s/ Gary F. Bendinger

Gary F. Bendinger  
SIDLEY AUSTIN LLP  
787 Seventh Avenue  
New York, New York 10019  
Telephone: (212) 839-5300  
Facsimile: (212) 839-5599  
gbendinger@sidley.com

Bruce R. Braun  
Melanie E. Walker  
Kendra L. Stead  
SIDLEY AUSTIN LLP  
One South Dearborn  
Chicago, Illinois 60603  
Telephone: (312) 853-7000  
Facsimile: (312) 853-7036  
bbraun@sidley.com  
mewalker@sidley.com  
kstead@sidley.com

*Attorneys for Defendant Grant Thornton LLP*